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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON
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8 RAYMOND JENKINS,

9 Plaintiff,

NO. CV-11-470-JPH

10 vs.

11 UNITED STATES OF AMERICA,

12 Defendant.
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ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION FOR FAILURE
TO COMPLY WITH FILING FEE
REQUIREMENTS

15 Magistrate Judge Hutton filed a Report and Recommendation on March 9, 2012,
16 recommending this action be dismissed because Mr. Jenkins had failed to comply with
17 the filing fee requirements of 28 U.S.C. §§ 1914(a) and 1915(a). Mr. Jenkins initiated
18 this action while incarcerated at the California Rehabilitation Center in Norco,
19 California.

20 On March 12, 2012, the Court received Plaintiff's Application to Proceed *in forma*
21 *pauperis*. He failed, however, to provide a six month statement of his inmate account as
22 required by 28 U.S.C. § 1915(a)(2). Therefore, Mr. Jenkins failed to fully comply with
23 the Court's directives.

24 On March 12, 2012, Plaintiff had also provided an unsigned letter indicating his
25 new address was a P.O. Box in Barstow, California. A copy of the Report and
26 Recommendation, ECF No. 4, was sent to Mr. Jenkins at that address and the deadline

27 ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING
28 ACTION -- 1

1 for filing objections was re-set to March 26, 2012. On March 19, 2012, the copy of the
2 Report and Recommendation sent to Mr. Jenkins at the California Rehabilitation Center
3 in Norco, California, was returned as “undeliverable” with the notation “discharged
4 2/22/12.”

5 Although granted the opportunity to file objections, Mr. Jenkins did not do so, and
6 has filed nothing further in this action. Accordingly, the Court **ADOPTS** the Report and
7 Recommendation. **IT IS ORDERED** this action is **DISMISSED WITHOUT**
8 **PREJUDICE** for failure to comply with the filing fee requirements.

9 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
10 Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff, and
11 close the file. The Court certifies any appeal of this dismissal would not be taken in
12 good faith.

13 **DATED** this 6th day of April, 2012.

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15 *s/Lonny R. Suko*

16 LONNY R. SUKO
17 UNITED STATES DISTRICT JUDGE
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